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7 Attorneys for Complainant

8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2010-74

13 **MATTHEW LEE CREWS**
925 River Road
14 Clarksburg, Massachusetts 01247

A C C U S A T I O N

15 Registered Nurse License No. 589514

16 Respondent.

17
18 Louise R. Bailey, M.Ed., RN ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the Interim
21 Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer
22 Affairs.

23 2. On or about October 16, 2001, the Board issued Registered Nurse License
24 Number 589514 to Matthew Lee Crews ("Respondent"). The license expired on July 31, 2005,
25 and has not been renewed.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Out-of-State Discipline)**

3 8. Respondent is subject to discipline under Code section 2761(a)(4), in that
4 effective on or about August 7, 2007, in a matter entitled, *In The Matter of Matthew L. Crews*,
5 *License No. 14-086704-061, Case No. 04-758-0*, Respondent's nursing license was revoked by
6 default, attached hereto as **Exhibit A**, by the Kansas State Board of Nursing, in that Respondent
7 failed to comply with terms and conditions of a Diversion Agreement entered into on or about
8 February 21, 2006, with the Kansas State Board of Nursing.

9 **PRAYER**

10 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein
11 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

12 1. Revoking or suspending Registered Nurse License Number 589514, issued to
13 Matthew Lee Crews;

14 2. Ordering Matthew Lee Crews to pay the Board of Registered Nursing the
15 reasonable costs of the investigation and enforcement of this case, pursuant to Code
16 section 125.3; and,

17 3. Taking such other and further action as deemed necessary and proper.

18 DATED: 8/6/09

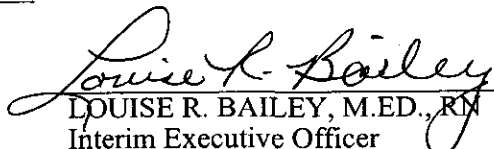
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20 
21 LOUISE R. BAILEY, M.ED., RN
22 Interim Executive Officer
23 Board of Registered Nursing
24 Department of Consumer Affairs
25 State of California
26 Complainant
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EXHIBIT A

BEFORE THE KANSAS STATE BOARD OF NURSING

Landon State Office Building, 900 S.W. Jackson #1051
Topeka, Kansas 66612-1230

IN THE MATTER OF
MATTHEW L. CREWS
License No. 14-086704-061

Case No. 04-758-0
OAH No. 08BN0001

PROPOSED DEFAULT ORDER TO REVOKE LICENSE


NOW ON THIS 31ST day of July, 2007, petitioner, the Kansas State Board of Nursing, appears by disciplinary counsel, Mark A. Knight, for a Hearing on the Petition. Respondent does not appear.

Wherefore, the Presiding Officer finds as follows:

1. Respondent is licensed to practice nursing in Kansas through 6/30/2009. The Kansas State Board of Nursing has jurisdiction over the Respondent and the subject matter of this action.
2. Petitioner sent a copy of the petition and notice of this hearing to respondent's last known address and service is proper.
3. Petitioner moves for issuance of a proposed default order revoking respondent's license. The petitioner's request is granted by default.
4. The petition is hereby granted and incorporated into this order as if set forth herein. Respondent violated the Nurse Practice Act as alleged in the petition.
5. Per petitioner's request, respondent's license to practice nursing is revoked. Respondent may not practice nursing in Kansas. Respondent is to mail the license card to the Kansas State Board of Nursing office immediately.
6. Costs of the action of \$70 are assessed to respondent to be paid to the board by cash or money order within 30 days of the effective date of this order.
7. Respondent shall immediately forward his or her original Kansas registered nurse license to the Kansas State Board of Nursing.

8. Disciplinary counsel shall mail a copy of this proposed default order to respondent's last known address.


IT IS SO ORDERED.


Sandra L. Sharon, Presiding Officer

NOTICE

This is a proposed default order pursuant to K.S.A. 77-520. This order becomes effective if respondent does not file a written motion requesting that this order be vacated with the board within seven days after the day this order is mailed. If a motion is timely filed, then a hearing will be set and notice given to respondent to appear. Another order will then be issued either vacating or affirming this order. The written motion is to be filed at:

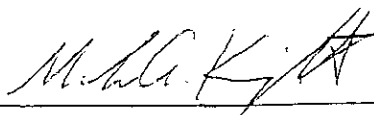
State Board of Nursing - Legal Division
Landon State Office Building
900 SW Jackson, Ste 1051
Topeka, KS 66612-1230


Mark A. Knight, #12183
Disciplinary Counsel
Kansas State Board of Nursing
900 S.W. Jackson, Suite #1051
Topeka, KS 66612-1230
785-296-4325

CERTIFICATE OF SERVICE

I certify that on the 31st day of July, 2007, the foregoing copy of the Proposed Default Order Revoking License was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Matthew L. Crews
925 River Road
Clarksburg, MA 01247


Mark A. Knight
Assistant Attorney General

FILED

JUN 29 2007

BEFORE THE KANSAS STATE BOARD OF NURSING

Landon State Office Building, 900 S.W. Jackson #1051
Topeka, Kansas 66612-1230

KSBN

Case No. 04-758-0

IN THE MATTER OF
MATTHEW L. CREWS
License No. 14-086704-061

PETITION

COMES NOW the petitioner, the Kansas State Board of Nursing, by and through Assistant Attorney General assigned to the Board, Mark A. Knight, and for its cause of action states that:

1. Respondent is licensed to practice nursing in Kansas through 6/30/2007. The Board has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent's address of record is 925 River Road, Clarksburg, MA 01247.
3. After an investigation, the Board's investigative committee found reasonable grounds to believe that the Respondent violated the Kansas Nurse Practice Act, K.S.A. 65-1120, and referred this matter for further proceedings.
4. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 et seq. to examine, license and renew license for duly qualified applicants and may limit, deny, suspend or revoke a license or authorization to practice nursing, may issue a public or private censure and levy administrative fines consistent with K.S.A. 74-1110, if a violation of K.S.A. 65-1120(a) is established.

FACTS COMMON TO ALL COUNTS

5. The facts below are common to all counts:

On or about November 1, 2004, Respondent was working as a nurse for IntelliStat Healthcare, Clearwater, Florida and employed at Los Robles Regional Medical Center, Thousand Oaks, California. While so employed, Respondent diverted Morphine, Demerol, Vicodin, Darvocet, and Hycodan for his own personal use and falsified records in order to do so.

On or about 2/21/2006, Respondent entered a Diversion Agreement with the Kansas State Board of Nursing to resolve the above captioned case.

In the above mentioned Diversion Agreement, Respondent agreed to participate in and complete the reasonable recommendations and requirements of the Kansas Nurses Assistance Program (KNAP). On or about 1/18/2007, KNAP closed Respondent KNAP case for non-compliance. KNAP reported that Respondent failed to provide documentation of 12 step meetings, failed to attend Monthly Monitoring Meetings, and failed to submit to random drug screens.

In the above mentioned Diversion Agreement, Respondent agreed that should the Respondent be found to have violated the Diversion Agreement the Respondent could not contest the following established violations: (a) K.S.A. 65-1120(a)(4), to be unable to practice with skill and safety due to current abuse of drugs or alcohol; (b) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (c), failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard each patient; (c) K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (d), inaccurately recording, falsifying, or altering any record of a patient or agency or of the board.

VIOLATIONS

6.. Respondent has violated the Kansas Nurse Practice Act as follows:

Count 1: K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (s) failing to complete the requirements of the impaired provider program of the board.

Count 2. K.S.A. 65-1120(a)(4), to be unable to practice with skill and safety due to current abuse of drugs or alcohol.

Count 3. K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (c), failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard each patient.

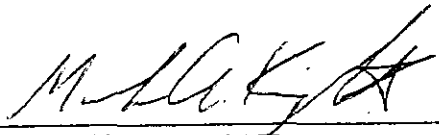
Count 4. K.S.A. 65-1120(a)(6), unprofessional conduct by K.A.R. 60-3-110 (d), inaccurately recording, falsifying, or altering any record of a patient or agency or of the board.

WHEREFORE, Petitioner requests a finding that the Respondent has violated the above mentioned Diversion Agreement, that Respondent has violated the Kansas Nurse Practice Act, that Respondent's license to practice nursing in Kansas be revoked, and that costs of this action should be assessed to the Respondent in the amount of \$70.00.

Respectfully submitted,

Paul Morrison
Kansas Attorney General

By:


Mark A. Knight, #12183
Assistant Attorney General